

REMARKS

By this amendment, claims 1-31 and 33-62 are pending, in which claim 32 is canceled without prejudice or disclaimer, claims 11-23 and 41-61 have been previously withdrawn from consideration, claims 1- 4, 6-10, 24-31, 33-38, and 40 are currently amended, and claim 62 is newly presented. No new matter is introduced.

The Office Action mailed August 17, 2009 rejected claims 1-37¹ under 35 U.S.C. § 102(e) as anticipated by *Rock et al.* (US 2003/0052797) and claims 38 and 39 as obvious under 35 U.S.C. § 103 based on *Rock et al.* (US 2003/0052797) in view of *Endo et al.* (US 2002/0011941).

The rejection of claims 1-37 and 40 under 35 U.S.C. § 102(e) is traversed.

Independent claim 1, as amended, recites “**requesting** the geographical position of an object **via a cellular network** based connection **directly from said object** if the object is capable of communicating with the mobile communication terminal and is aware of geographical position of the object.”

In *Rock et al.*, the geographical position of the objects (speed traps) is already stored in the internal database of the mobile unit (paragraph [0055]). This information is not requested from the objects. In fact, it would be inconsistent with the teachings of *Rock et al.* if the objects in *Rock et al.* sent their geographical positions to the mobile terminal since the whole point of a speed trap is to catch speeders, not to tip them off to slow down at locations of the speed traps. Thus, there is no request by the mobile terminal in *Rock et al.* directly to the object for geographical information.

Moreover, there is no disclosure of “a cellular network” in *Rock et al.*

¹ Applicants presume the statement of rejection intended to include claim 40 as this claim is included in the explanation of the rejection at page 6 of the Office Action.

Accordingly, claim 1 is not anticipated by *Rock et al.*

Independent claim 7, as amended, recites “a receiver configured to receive a geographical location **directly from an object**.” For the reasons above, there is no receipt of geographical location “directly from an object” *Rock et al.* Moreover, there is no disclosure of “a cellular network” in *Rock et al.*

Accordingly, claim 7 is not anticipated by *Rock et al.*

Independent claim 24 recites “a detector configured to detect the geographical position of the mobile terminal **via interaction with a cellular network**.” In *Rock et al.*, the position of the mobile terminal is not detected via interaction with a cellular network but, rather, through communication with satellites 7 (see paragraph [0055]). In fact, while *Rock et al.* does disclose a mobile telephone, it does not disclose any “cellular network” at all.

Claim 6 is separately patentable as it recites the feature of “prompting for user acceptance before said object replies to a request to send its geographical position.” This feature is not taught by *Rock et al.* The Office Action asserts that paragraph [0081] of the reference teaches this claim feature. However, a review of that cited portion of the reference reveals only that the mobile terminal (speed trap detection and warning unit 11) may receive an update. But this update is not something that is subject to a user’s acceptance and the user is clearly not “prompted” for such an update. Moreover, as explained above, *Rock et al.* does not disclose a user request nor is there any reply by an object since the object in *Rock et al.*, i.e., the speed trap, is not going to reply to a user request regarding the speed trap’s location.

Accordingly, claim 6 is not anticipated by *Rock et al.*

Claim 10 is also separately patentable as it recites the feature of “wherein the GDDA attaches geographical position information to entries in an address book or phonebook stored on the mobile communication terminal.”

Rock et al. does not teach this feature. While the Office Action asserts that this feature is taught in Fig. 8, as memory 71 or working memory 51, memories, *per se*, do not teach specifically attaching geographical information to entries in an address book or phonebook. There is no disclosure in *Rock et al.* of attaching or storing “geographical position information to entries in an address book or phonebook,” as claimed.

Accordingly, claim 10 is not anticipated by *Rock et al.*

Claim 30 is also separately patentable as it recites the feature of “a display to show the **traveled path as a two dimensional graphical representation** on a map.”

Rock et al. does not teach this feature. While the Office Action asserts that this feature is taught at paragraphs [0088] and [0109] of the reference, these cited portions of the reference merely refer to displaying current vehicle speed as well as updating such display. There is no disclosure in *Rock et al.* of displaying “**the traveled path**,” let alone displaying such path as a two-dimensional representation on a map,” as claimed.

Accordingly, claim 30 is not anticipated by *Rock et al.*

Claim 31 is also separately patentable as it recites the feature of determining “the accumulated traveled distance.”

Rock et al. does not teach this feature. While the Office Action asserts that this feature is taught at paragraphs [0154] and [0245] of the reference, these cited portions of the reference refer to distances such a predetermined distance to a speed trap, but teach nothing with regard to

“accumulated” distances. There is no disclosure in *Rock et al.* of determining “the accumulated traveled distance,” as claimed.

Accordingly, claim 31 is not anticipated by *Rock et al.*

Claims 34-37, 40, and new claim 63 are also separately patentable and not anticipated by *Rock et al.* as these claims recite selected “waypoints” or the following of a “route.” *Rock et al.* does not disclose a mobile terminal following any waypoints along a “route” but, rather, is merely interested in vicinity to speed traps.

Accordingly, claims 34-37, and 40 are not anticipated by *Rock et al.*

Since no *prima facie* case of anticipation has been established regarding the subject matter of claims 1-37, and 40, the Examiner is respectfully requested to withdraw the rejection of claims 1-37, and 40 under 35 U.S.C. § 102(e).

The rejection of claims 38 and 39 under 35 U.S.C. § 103 is traversed.

The Office Action recognized that *Rock et al.* lacked any teaching of “a display for displaying the horizontal north relative to the last traveling direction, whereby the horizontal north is displayed by an arrow pointing north when the display is oriented horizontally and the top of the display is directed in the last traveling direction” or “the actual position of the sun relative to the horizontal north is shown in the display.” The Office Action relies on *Endo et al.* for these claim features.

Endo et al. fails to provide for the deficiencies of *Rock et al.*, explained above and, accordingly, claims 38 and 39 are patentable for this reason alone. Moreover, *Endo et al.* fails to disclose the specific features of claims 38 and 39 as *Endo et al.* is concerned with showing a bird’s eye view of a map and teaches nothing about “displaying the horizontal north relative to

the last traveling direction, whereby the horizontal north is displayed by an arrow pointing north when the display is oriented horizontally and the top of the display is directed in the last traveling direction” or “the actual position of the sun relative to the horizontal north is shown in the display.”

Still further, even if *Endo et al.* taught the specific features of claims 38 and 39, which it does not, *Endo et al.* would not be combinable with *Rock et al.* because *Rock et al.* displays to the user warnings of approach to speed traps and current speed of the vehicle versus speed limit. *Rock et al.* has not need for a bird’s eye view map just to relate speed information to a user.

Accordingly, no *prima facie* case of obviousness has been established regarding the subject matter of claims 38 and 39 and the Examiner is respectfully requested to withdraw the rejection of claims 38 and 39 under 35 U.S.C. § 103.

Newly presented claim 62, which indirectly depends from independent claim 24, is also not anticipated by *Rock et al.* nor obvious over the combination of *Rock et al.* and *Endo et al.*, for the reasons explained above.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9952 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

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Date

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